

**Amendments to the Claims**

This listing of the claims will replace all prior versions, and listings, of claims in this application.

**Listing of Claims**

1-6. (Previously canceled)

7. (Withdrawn) A method of screening for bioactive agents capable of inhibiting an IL-4 inducible  $\epsilon$  promoter, said method comprising

a) combining a candidate bioactive agent and a cell that does not endogeneously express Heparin-binding epidermal growth factor-like growth factor (HBEGF), said cell comprising a fusion nucleic acid comprising:

- i) an IL-4 inducible  $\epsilon$  promoter; and
- ii) nucleic acid encoding HBEGF;
- b) inducing said promoter with IL-4;
- c) adding diphtheria toxin to said cell;
- d) determining whether said cell is dead.

8. (Withdrawn) A method according to claim 7 wherein said combining is done by introducing a retroviral vector comprising nucleic acid encoding said candidate bioactive agent to said cell.

9. (Withdrawn) A method according to claim 8 wherein a library of retroviral vectors comprising a library of candidate bioactive agents is added to a population of cells.

10. (Withdrawn) A method according to claim 8 wherein said retroviral vector further comprises nucleic acid encoding a fluorescent label.

11. (Withdrawn) A cell line for screening selected from the group consisting of CA-46 and BJAB, said cell line comprising a fusion nucleic acid comprising:

- a) an IL-4 inducible  $\epsilon$  promoter; and
- b) nucleic acid encoding Heparin-binding epidermal growth factor-like growth factor (HBEGF).

12. **(Withdrawn)** A method of screening for bioactive agents capable of inhibiting a promoter of interest, said method comprising

- a) combining a candidate bioactive agent and a cell comprising a fusion nucleic acid comprising:
  - i) a promoter of interest; and
  - ii) nucleic acid encoding Heparin-binding epidermal growth factor-like growth factor (HBEGF);
- b) optionally inducing said promoter;
- c) introducing diphtheria toxin to said cell; and
- d) detecting the presence of said cell, wherein the presence of said cell indicates that said agent inhibits said promoter.

13. **(Currently Amended)** An expression vector comprising:

- a) a promoter of interest; b) nucleic acid encoding a Heparin-Binding Epidermal growth factor-like Growth Factor (HBEGF); ~~b)~~ c) nucleic acid encoding a Green Fluorescent Protein (GFP); and ~~e)~~ d) an internal ribosome entry site (IRES).

14. **(Canceled)**

15. **(Previously Presented)** An expression vector according to claim 13, wherein said IRES site is between said nucleic acid encoding said HBEGF and said nucleic acid encoding said GFP.

16. **(Previously presented)** An expression vector according to claim 13 or 15 wherein said nucleic acid encoding said GFP is downstream of said nucleic acid encoding said HBEGF.

17. **(Previously Presented)** An expression vector according to claim 13 further comprising a 2a site.

18. **(Previously presented)** An expression vector according to claim 17 further comprising a CD9 site.

19. **(Previously presented)** An expression vector according to claim 13 or 17 further comprising: a) an additional selection gene.

20. **(Currently Amended)** An expression vector according to claim 13 or 18 ~~further comprising a~~ wherein the promoter of interest is operably linked to said nucleic acid encoding said HBEGF.

21. **(Currently Amended)** An expression vector comprising: a first and second selection gene, wherein the first and second selection gene are fused such that transcription from a promoter operably linked to the first selection gene results in a single transcript encoding the first and second selection genes and further comprising an IRES site interposed between the first and second selection genes which allows for functional separation of ~~the two selection genes~~ said first and second selection genes, wherein either ~~the~~ said first or second selection gene is an HBEGF gene.

22. **(Previously presented)** An expression vector according to claim 21 further comprising an additional selection gene.

23. **(Previously presented)** An expression vector according to claim 21 further comprising a CD9 site.

24. **(Previously presented)** An expression vector according to claim 21 further comprising a promoter of interest operably linked to said nucleic acid encoding said HBEGF.

25. **(Currently Amended)** An expression vector comprising from 5' to 3':

a) a promoter of interest;

~~a)-b)~~ a nucleic acid encoding HBEGF;

~~b)-c)~~ a 2a site;

~~e)-d)~~ a nucleic acid encoding GFP; and

~~d)e) an IRES site; and,~~

~~e) a promoter of interest.~~

26. **(Previously presented)** An expression vector according to claim 25 further comprising a CD9 gene downstream of said IRES site.

27. **(Previously presented)** An expression vector according to claim 25 further comprising an additional selection gene downstream of said IRES site.

28. **(Currently Amended)** An expression vector comprising from 5' to 3':

a) a promoter of interest;

~~a)b) a nucleic acid encoding HBEGF; and~~

~~b)c) an IRES site; and,~~

~~e) a promoter of interest.~~

29. **(Previously presented)** An expression vector according to claim 28 further comprising a CD9 gene downstream of said IRES site.

30. **(Currently Amended)** ~~An expression vector according to claim 31 wherein said additional selection gene downstream of said IRES site encodes GFP.~~ An expression vector according to claim 28 further comprising an additional selection gene downstream of said IRES site.

31. **(Currently Amended)** ~~An expression vector according to claim 28 further comprising an additional selection gene downstream of said IRES site.~~ An expression vector according to claim 30 wherein said additional selection gene downstream of said IRES site encodes GFP.

32. **(Currently Amended)** An expression vector according to any one of claims 22, 27, or 31, wherein said additional selection gene is a drug resistance gene conferring resistance to drugs selected from the group consisting of puromycin, neomycin, blastocidin, bleomycin,

and hygromycin.

33. **(Previously presented)** An expression vector according to claim 24, 25, or 28, wherein said promoter of interest is an IL-4 $\epsilon$  promoter.

34. **(Previously Presented)** An expression vector according to claims 13, 25, or 30 wherein said GFP is a *Renilla Mulleri* GFP.

35. **(Previously presented)** An expression vector according to claims 13, 25, or 30 wherein said GFP is a *Pitilosarcus Gurneyi* GFP.

36. **(Previously presented)** An expression vector according to claims 13, 25 or 30 wherein said GFP is an *Aequorea* GFP.

37. **(Previously presented)** An expression vector according to claims 13, 21, 25, or 28 wherein said expression vector is a retroviral vector.

38. **(Currently Amended)** An expression vector comprising a first and a second selection gene, wherein the first and second selection gene are fused such that transcription from a promoter operably linked to the first selection gene results in a single transcript encoding the first and second selection genes and further comprising a site which allows for functional separation of ~~the two selection genes~~ said first and second selection genes, wherein the first selection gene is an HBEGF gene.

39. **(Previously presented)** The expression vector of claim 38, wherein the second selection gene is GFP.

40. **(Previously presented)** The vector of claim 38, wherein the site which allows for functional separation of the two selection genes is an IRES site and wherein translation of the two different genes from the single transcript occurs.

41. **(Previously presented)** The vector of claim 38, wherein the site which allows for separation of the two selection genes is a protease cleavage site and wherein the protein product of the single transcript is cleaved to yield two proteins.

42. **(Previously presented)** The vector of claim 41, wherein the protease cleavage site is a 2a site.

43. **(Previously presented)** The vector of claim 42, wherein the 2a site is interposed between HBEGF and the second selection gene.

44. **(Previously presented)** The expression vector of claim 22, wherein the additional selection gene is GFP.

45. **(Previously presented)** The expression vector of claim 39 or 44, wherein the GFP is a *Renilla* GFP.